

SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO Criminal Department, Central Division		Entered by:	
TITLE OF CASE: PEOPLE V. MARCUS WESSON			
1ST CORRECTED 3RD DAY CRIMINAL COURT TRIAL MINUTES – PRELIMINARY HEARING		Case Number: F04901785-6	
Judge/Temporary Judge: LAWRENCE JONES		Date: April 12, 2004	
Court Clerk: VIRGINIA RIVERA		Department:: 60 Time: 10:05 a.m.	
Reporter/Tape: KRISTI GARCIA/LESLIE BJERKE			
Bailiff: ERIC GARCIA			

Plaintiff: PEOPLE	<input checked="" type="checkbox"/> Appearing	Counsel: LISA GAMOIAN, DEPUTY DISTRICT ATTORNEY	<input checked="" type="checkbox"/> Appearing
Defendant: MARCUS WESSON	<input checked="" type="checkbox"/> Appearing	Counsel: PETE JONES, DEPUTY PUBLIC DEFENDER	<input type="checkbox"/> Pro Per
		RALPH TORRES, DEPUTY PUBLIC DEFENDER	<input checked="" type="checkbox"/> Appearing
			<input type="checkbox"/> Pro Per

Pursuant to adjournment of April 8, 2004, the Court reconvenes at 10:05 a.m., with all parties present and ready to proceed.

Court and counsel discuss matters with respect to law and procedure, as stated into the record.

Detective Michelle Ochoa, Fresno Police Department, having been previously sworn, resumes the witness stand and further testifies on behalf of the People.

The Court stands in recess at 11:35 a.m.

The Court reconvenes at 11:45 a.m. with all parties present and ready to proceed.

Leslie Bjerke replaces Kristi Garcia as the Court Reporter.

Detective Michelle Ochoa, Fresno Police Department, having been previously sworn, resumes the witness stand and further testifies on behalf of the People.

The Court stands in recess at 12:00 p.m. until 1:30 p.m.

The Defendant remains in the custody of the Fresno County Sheriff's Department.

The Court reconvenes at 1:30 p.m. with all parties present and ready to proceed.

Detective Michelle Ochoa, Fresno Police Department, having been previously sworn, resumes the witness stand and further testifies on behalf of the People.

Detective Douglas Reese, Fresno Police Department, is sworn and testifies on behalf of the People.

People's exhibit no. 1, no. 2, no. 3, no. 4, no. 5, no. 6, no. 7, no. 8, and no. 9, having previously been marked for identification are now received in evidence.

People make a Motion to Amend Count 10, to reflect the date of January 1, 1988, the Court grants the Motion.

People make a Motion to Amend Count 14, to reflect the date of April 22, 1991, the Court grants the Motion.

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People make a Motion to Amend Count 20, to reflect the date of November 6, 1991, the Court grants the Motion.

People make a Motion to Amend Count 33, to reflect the date of December 27, 1997, the Court grants the Motion.

People make a Motion to hold the Defendant to Answer as to Counts 1 through 10, Counts 12 through 14, Counts 18 through 20, Counts 24 and 25, Counts 30 and 31 and Count 33.
The People rest.

The Court stands in recess.

The Court reconvenes at 3:05 p.m. with all parties present and ready to proceed.

Mr. Jones argues the matter to the Court on behalf of the Defendant.

Ms. Gamoian argues the matter to the Court on behalf of the People.

The Court states it appears that the following offense(s) have been committed; and that there is sufficient cause to believe the Defendant is guilty thereof:

- Count 1: PC 187(a) with PC 190.2(a)(3), PC 12022.53(d), and PC 12022(a)(1)
- Count 2: PC 187(a) with PC 190.2(a)(3), PC 12022.53(d), and PC 12022(a)(1)
- Count 3: PC 187(a) with PC 190.2(a)(3), PC 12022.53(d), and PC 12022(a)(1)
- Count 4: PC 187(a) with PC 190.2(a)(3), PC 12022.53(d), and PC 12022(a)(1)
- Count 5: PC 187(a) with PC 190.2(a)(3), PC 12022.53(d), and PC 12022(a)(1)
- Count 6: PC 187(a) with PC 190.2(a)(3), PC 12022.53(d), and PC 12022(a)(1)
- Count 7: PC 187(a) with PC 190.2(a)(3), PC 12022.53(d), and PC 12022(a)(1)
- Count 8: PC 187(a) with PC 190.2(a)(3), PC 12022.53(d), and PC 12022(a)(1)
- Count 9: PC 187(a) with PC 190.2(a)(3), PC 12022.53(d), and PC 12022(a)(1)
- Count 10: PC 288.5 with PC 803(g)(1)
- Count 12: PC 288a(c)(2)
- Count 13: PC 288a(c)(2)
- Count 14: PC 288.5
- Count 18: PC 261(a)(2)
- Count 19: PC 261(a)(2)
- Count 20: PC 288.5
- Count 24: PC 261(a)(2)
- Count 25: PC 288.5
- Count 30: PC 261(a)(2)
- Count 31: PC 261(a)(2)
- Count 32: PC 261(a)(1), and
- Count 33: PC 288.5

The Court orders that the Defendant be held to answer to same.

The Defendant is ordered to appear in the Superior Court of California, County of Fresno, on April 27, 2004, at 9:00 a.m. in Department 96.

Counsel argue the Defendant's Motion to Dismiss.

The Court denies the Motion to Dismiss.

The Court dismisses Count 11, Counts 15 through 17, Counts 21 through 23, Counts 26 through 29, and Counts 34 through 42.

All counsel stipulate to the return of the People's exhibits.

The Defendant remains in the custody of the Fresno County Sheriff's Department.

The Court stands adjourned.